Kerala Gazette No. 42 dated 15th October 1957.

PART III

NOTIFICATION.

No. L1-10529/57 *Dated, Trivandrum 22nd September 1957.*

In exercise of powers conferred under Section 102 of the Travancore-Cochin Panchayats Act (Act II of 1950) and the Rule 188 of the Panchayat Rules 1951, the Market bye-laws of the following Panchayats are hereby approved and notified by the Director of Local Bodies, the same having been duly passed by the Panchayats concerned under Section 99 of the above said Act, after observing all the formalities contemplated under Rules 118, 186 and 187 of the Panchayat Rules, 1951.

P. N. Jacob,
Executive Engineer in charge of the Director of Local Bodies.

Name of panchayats

1. Elanji
2. Tripunithura
3. Kaduthuruthy
4. Muttar

Market Bye-laws.

Public market

1. The market shall be open to all persons without distinction of caste or creed.

2. The market shall be open from sunrise to sunset on such days of the week as may be notified in the Gazette by the Director of Local Bodies.

3. The Panchayat may farm the market as a whole or in parts for a period not exceeding one year to the highest bidder subject to the following conditions:—

(a) The stalls shall be leased or let out by auction to the highest bidder for a period not exceeding one year as the Panchayat may from time to time resolve upon, by the Executive Authority or any one authorised by him in this behalf.

(b) The Executive Authority or the officer authorised by him may also lease or let for trade sites or standings within the market premises by auction to the highest bidder.

(c) Open spaces will be left for the sale of petty articles to the extent the ground would permit.

(d) The rent or fee due shall be payable in advance for the whole term, and when let on the monthly payment system one month's rent shall always be deposited in advance as earnest money and the rent for every month shall be paid in the Panchayat Office before the 15th of that month, in default of which the licensee and the original deposit shall be liable to be forfeited and the stalls, sites or standings shall be resold, and the licensee shall be held responsible for any loss which may be sustained by the resale by public auction or by private contract. The licensee shall also be liable to be evicted. All amounts due from the licensee shall be recoverable under the provisions of the Revenue Recovery Act.

4. All articles brought into the market for sale in open space reserved for sale of petty articles by casual vendors shall be charged with an admission fee according to the rates prescribed in the schedule below.

The fees prescribed in the schedule below shall be paid at the entrance of the market to the Officer appointed by the Executive Authority or to the lessee or his authorised agent for the purpose and a receipt obtained from him.

5. Any person found carrying on sale within the market premises without a licence under bye-law 3 or receipt under bye-law 4 shall be summarily rejected.

6. All articles brought into the market shall be sold or exposed for sale in stalls, standings or other places set apart by the Executive Authority from time to time for the purpose of selling such articles.

7. Any person guilty of a breach of any of these bye-laws and conditions of his licence shall be liable to have his licence suspended or withdrawn at the discretion of the Executive Authority and to be evicted from the market under the direction of the Executive Authority or Officer authorised by him.

8. Every tenant of a stall, shop or standing who shall employ another person to carry on his business at such stall, shop or standing on his behalf and as his agent shall register with the Executive Authority and from time to time keep so registered the name of every employee who may be for the time being deputed to act for him as aforesaid.

9. A tenant or occupier of a stall or holding shall on demand by the Executive Authority remove outside the market precincts or to such place as the Executive Authority may direct any hamper, box, barrel or other receptacle which he has so disposed as in the opinion of the Executive Authority to obstruct the public way or overcrowd the stall or interfere with due ventilation.

10. No putrid or unwholesome article of consumption shall be allowed to be exposed or sold in the market. The Executive Authority shall under such general orders as the Panchayat may from time to time pass, be at liberty to summarily remove or destroy all such articles and the lessee or the owner shall have no claim for compensation for any loss arising therefrom.

11. No article, the storing or sale of which shall not be done without a licence either from the Panchayat or from the Government shall be brought into the market for sale without such licence.

12. Articles prohibited to be sold shall not be brought into the market.

13. No person shall assign or sub-let or otherwise part with possession of any stall or shop or standing to another.

14. No person resorting to the market shall spoil or make the place dirty or insanitary.

15. Any person resorting to the market as a buyer or seller, or as a cooly shall always comply with all lawful directions of the Executive Authority and other officers authorised by him.

16. The Executive Authority or servants of Panchayat may expel from the premises any person who is found there drunk or begging or loitering or who misconducts himself or is a lunatic or who in any way infringes any of these bye-laws and may prevent such person from further carrying on any trade or business in the market or occupying any building, shop, stall or standing therein, if he is a tenant, occupier or vendor, or an agent or servant of any of these persons.

17. Servants employed by the Panchayat in the Public market are forbidden to ask for or receive any gratuity in money or otherwise.

PRIVATE MARKET

18. The license fee for a private market shall be regulated by the area covered by the market as shown in the schedule annexed.

19. A licence may be granted for the use of any private place as a market or shop for sale of animals, meat or fish or as a market for sale of fruit or vegetables ;—

(i) When the proposal to use the place for the said purpose having been notified to the public at least 7 days and all written objections thereto by persons resident within 50 yards of the site having been duly considered, the Panchayat approve of the proposal and the site ;

(ii) When there is no privy, latrine, urinal, dust-bin, burning ground or rubbish or nightsoil depot within 50 feet of the proposed site ;

(iii) When there is no similar market within one mile of the proposed site ;

(iv) When previous approval is obtained for the proposal from the Director of Local Bodies.

20. A licence may be granted for the use of a private place as a market or shop for meat or fish or as a market for the sale of fruit or vegetables only on the following conditions :—

(i) That the licensee keeps on the premises such supply of water and such movable receptacles for refuse, and such buckets, shovels, brooms and other implements for cleaning purposes and for use in case of fire as the Panchayat from time to time prescribe and that he maintains the same always clean and in good repair ;

(ii) That the licensee causes the floor or pavements and furniture of his market or shop to be thoroughly washed down and blood, rubbish and garbage to be removed from the premises within two hours of the close of each day's business ;

(iii) That the licensee of a market employs or keeps on duty at such market for so long as it is open to the public so many peons as may be prescribed by the Panchayat in the licence for the purpose of maintaining order and preventing nuisances or obstructions in the market or in the approaches thereto ;

(iv) That the licensee of a market charges for the use of the market nothing more than the maximum fees fixed for a public market ;

(v) That the licensee shall use the market for the sale of only such articles for which the licence is granted and that no part of the market shall be used for any purpose other than that specified in the licence ;

(vi) That the licensee shall put up notice boards specifying the articles for the sale of which the various stalls or shops are set apart and used.

(vii) That the licensee shall at all reasonable hours give the Executive Authority or any employee deputed by him in this behalf free access to all parts of such shops and every facility for inspecting the same ;

(viii) That the licensee shall abide by the provisions of bye-laws and Rules 17 to 27 and 31 of the Panchayat Markets Rules 1954 as if his market was a public market.

21. A licence issued may be suspended or withdrawn at the discretion of the Panchayat whenever any of the above conditions are broken.

GENERAL

22. A breach or an abetment of a breach of any of the above bye-laws shall be punishable with fine which may extend to fifteen rupees and when the breach is a continuing one, with a further fine which may extend to five rupees for every day, after the first, during which the breach continues.

ELANJI PANCHAYAT

Admissioa fee for the aeticles

			Rs.	nP.
1.	Head Load	..	0	3
2.	Cart load	..	0	25
3.	Ualoaded earts	..	0	12
4.	Motoe vehiele load	..	0	75
5.	Ualoaded Motoe vehicle	..	0	37
6.	Cows, bulls and buffaloes above 2 year of age	..	0	12
7.	Cattle, horse, asses load	..	0	6
8.	Calves of two years aad below but aot below 1 yeae	..	0	6
9.	Sheep, goats or asses above two years of age	..	0	12
10.	Pigs	..	0	6
11.	Poultry (grown up fowls)	..	0	2
12.	Cycle load	..	0	12

NOTE :—Calves that go with eows oe she-buffaloes will not be eharged separately.

Licenee fee for Peivate Market

1.	If the area is	25 eents aad below	..	20	0
2.	„	50 „	..	40	0
3.	„	75 „	..	80	0
4.	„	1 aere aad below	..	100	0
5.	„	2 acees aad below	..	140	0
6.	For every additional acee above 2 acres or a fractioa thereof		..	40	0

The fee foe the reaewal of a licease shall be 15 pee ceat of the gross income from the market foe the previous yeae.

TRIPPUNITHURA PANCHAYAT

Admission fee for the articles

	Item.		*Rate* Rs. aP.	
1.	Hand load	..	Exempted	
2.	Head load	..	0 3	
3.	Cart load	..	0 25	
4.	Unloaded carts	..	0 12	
5.	Motoe vehiele load	..	0 15	
6.	Ualoaded motoe vehicles	..	0 37	
7.	Cows, horses, asses load (foe each)	..	0 6	
8.	Cows, bulls aad buffaloes above two years of age	..	0 12	pee head
9.	Calves of two years aad below, but aot below oae yeae		0 6	do.
10.	Sheep, goats or asses above two yeaes of age	..	0 12	do.
11.	Poultry (grown up fowls)	..	0 2	
11.	A loaded vallom above 20 but below 35 laehes ia girth		0 25	
13.	A loaded vallom aot more thaa 20 Inches ia girth	..	0 12	
14	Pigs	..	0 6	
15.	A loaded vallom of 35 inehes oe moee ia girth	..	0 50	

NOTE:—Calves that go with eows oe she-buffaloes will not be eharged separately.

Licence fee for Private Market

		Rs.	nP.
1.	If the area is 25 cents and below	20	0
2.	" 50 " ..	40	0
3.	" 75 " ..	60	0
4.	" 1 acre and below	100	0
5.	" 2 acres and below ..	140	0
6.	For every additional acre above 2 acres or fraction thereof ..	40	0

The fee for the renewal of a licence shall be 15 per cent of the gross income from the market for the previous year.

MUTTAR PANCHAYAT

Admission fee for articles

		Rs.	nP.
1.	Head load ..	0	3
2.	Cart load ..	0	25
3.	Unloaded carts ..	0	12
4.	Motor vehicle load ..	0	75
5.	Unloaded motor vehicles ..	0	38
6.	Cows, bulls and buffaloes above two years of age ..	0	21
7.	Cattle, horse, asses load ..	0	6
8.	Calves of two years and below, but not below 1 year	0	6
9.	Sheep, goats or asses above 2 years of age ..	0	11
10.	Pigs ..	0	6
11.	Poultry (grown up fowls) ..	0	2
12.	A loaded vallom not more than 20'' in girth ..	0	12
13.	A loaded vallom above 20'' but below 35'' in girth	0	25
14.	A loaded vallom of 35'' or more in girth ..	0	50

License fee for Private Market

1.	If the area is 25 cents and below	20	0
2.	" 50 "	40	0
3.	" 75 " ..	80	0
4.	" 1 acre and below ..	100	0
5.	" 2 acres and below ..	140	0
6.	For every additional acre above two acres or fraction thereof ..	40	0

The fee for renewal of license shall be 25 per cent of the gross income of the previous year.

KADUTHURUTHY PUBLIC MARKET

Admission fee for articles

		Rs.	nP.
1.	Head load ..	0	3
2.	Cart load ..	0	25
3.	Unloaded carts ..	0	12
4.	Motor vehicle load ..	0	75
5.	Unloaded motor vehicles ..	0	38

		Rs.	nP.
6.	Cows, bnlls and buffaloes ..	0	12
7.	Cattle, horse, asses load ..	0	6
8.	Calves of 2 years and below, but not below one year	0	6
9.	Sheep, goats or asses above 2 years of age ..	0	12
10.	Pigs ..	6	0
11.	Poultry (grown np fowls) ..	0	2
12.	A loaded vallom not more than 20" in girth ..	0	12
13.	A loaded vallom above 20" but below 35" in girth	0	25
14.	A loaded vallom of 35" or more in girth ..	0	50

N. B.—Calves that go with cows or she bnffaloes will not be charged separately.

License fee for Private Market

		Rs.
1.	If the area is 25 cents and below ..	20
2.	" 50 " ..	40
3.	" 75 " ..	80
4.	" 1 acre and below ..	100
5.	" 2 acres and below ..	140
6.	For every additional acre above 2 acres or a fraction thereof ..	40

The fee for renewal of license shall be 15 per cent of the gross income of the previons year.

NOTIFICATION

No. L1-10530/57 *Dated, Trivandrum 27th September 1957.*

In exercise of powers conferred under Section 102 of the Travancore-Cochin Panchayats Act (Act II of 1950) and the Rule 188 of the Panchayat Rules, 1951, the amendments to the Market bye-laws of the Vamanapuram Panchayat are hereby approved and notified by the Director of Local Bodies, the same having been duly passed by the said Panchayat nnder Section 99 of the above-saidAct, after observing all the formalities contemplated under Rnles 118, 186 and 187 of the Panchayat Rules, 1951.

P. N. JACOB,

Trivandrnm. *Executive Engineer in charge of the Director of Local Bodies.*

Amendment to the Market bye-laws of Vamanapuram Panchayat

In the Market bye-laws of Vamanapnram Panchayat pnblished in the Gazette No. 48 dated 30th November, 1954, delete the schednle to item No. 4 of the bye-laws and add the following instead:—

SCHEDULE

			Rs. nP.
1.	Hand load	..	Excmpted
2.	Head load	..	Exempted
3.	Cart load	..	0 15
4.	Unloaded carts (In case a cart-stand is provided)	..	0 12
5.	Motor vehicle load	..	0 75
6.	Unloaded motor vehicles	..	0 37
7.	Cows, bulls and buffaloes above two years of age	..	0 12 per head
8.	Cattle, horses, asses load	..	0 6 for each
9.	Calves of two years and below but not below one year		0 6 per head
10.	Sheep, goats or asses above two years of age	..	0 12 per head
11.	Pigs	..	0 6 per head
12.	Poultry (grown up fowls)	..	0 2 per fowl
13.	A loaded vallom not more than 20" in girth	..	0 12
14.	A loaded vallom above 20" but below 35" in girth		0 25
15.	A loaded vallom of 35" or more in girth	..	0 50

NOTE :—Calves that go with cows or she buffaloes will not be charged separately.

NOTIFICATION

No. L1-10888/57. *28th September 1957.*

In exercise of powers conferred under Section 102 of the Travancore-Cochin Panchayals Act (Acl II of 1950) and the Rule 188 of the Panchayat Rules 1951, the Vehicle Tax bye-laws of the Kumili Panchayat are hereby approved and notified by the Director of Local Bodies, the same having been duly passed by the Panchayat concerned under Section 99 of the above said Act, after observing all the formalities contemplated under Rules 118, 186 and 187 of the Panchayat Rules, 1951.

Office of the
Director of Local Bodles,
Trivandrum.

P. N. JACOB,
Executive Engineer in charge of the Director of Local Bodies.

Bye-laws for the levy of Vehicle Tax.

1. A half-yearly tax on the following valloms and boats kept or used within the panchayat area shall be levied as follows:—

	Half-yearly instalment. Rs.	nP.
For every motor boat or steam launch plying for hire and carrying more than 6 passengers	15	0
For every steam or motor tug	25	0
For every barge or other vessel attached or attachable to a steam or motor tug	12	50
For every other motor boat or steam launch	7	50
For every cabin boat	1	25
For every vallom of a capacity of 4 tons and above	1	0
For every vallom of a capacity above 2 tons and below 4 tons	0	50

Exemptions:—Valloms and boats will be exempted from tax—

(a) If they belong to the Government, the Royal Stables or the Royal Family.

(b) If they belong to the panchayat.

2. The Executive Authority shall arrange to maintain a half-yearly register of all valloms and boats liable to taxation. The register shall contain such particulars as the name of the owner, his house number, the name of the ward in which the house is situated, the description of the boat or vallom taxed and the amount of the half-yearly tax thereon.

3. When a person is found at any time liable for taxation under this head, he shall be assessed supplementally even though the assessment register for the half year should have been prepared before.

4. (a) If a person declines to give information when personally asked by an authorised servant of the Panchayat, the Executive Authority shall require him to furnish such information as may be necessary to ascertain his liability for taxation.

(b) If the person so called upon to furnish information omits to do so or furnishes false information, he shall be punishable with a fine which may extend to five rupees and the Panchayat shall make the assessment on the information available.

5. A demand register shall be maintained in the office prepared from the assessment list.

6. Every owner of a vallom or boat shall pay the tax to the Panchayat Office before the end of the 1st month in each half year.

6. Every sale or other transfer of a vallom or boat in the course of a half-year shall be intimated to the Panchayat by the owner within 15 days of such sale or transfer, to shift the liability of the tax to the new owner.

8. Any person coming into possession of a vallom or boat during a half-year shall be liable to the tax for that half-year if it remains unpaid by the previous owner.

9. Within 15 days after the commencement of each half-year the Executive Authority shall give to the assessees, intimation of the date of payment and the amount of tax payable by each.

10. (a) If any person objects to any assessment for tax under this head he may prefer a petition to the Panchayat within 30 days from the receipt of the notice of the demand.

(b) The Panchayat shall after receiving the objection within the prescribed time, hear the petitioner or his agent and decide the question.

11. The Executive Authority or any officer authorised by him shall send to every person supposed to have become liable to the payment of tax, a printed form of application to be filled

with such informatioo respecting the vallom and boats kept by him as the Executive Authority considers necessary for the assessment of tax and to be returned duly filled up to the Panchayat Office within one week of its receipt.

12. (a) If any person to whom the form mentioned in Bye-law No. 10 was sent, omits to fill it up and return it to tho Panchayat Office within two weeks of its receipt or he returns the form filled up but omits to pay the tax within the said period the Executive Authority shall serve on him a notice requiring him to pay within 15 days from the service of such notice the amount of tax due.

(b) In case of non-payment of tax, in spite of such notice, steps shall be taken for the recovery of the omount under the Revenue Recovery Act.

13. The Executive Authority shall give to the person who gives tax a license for the vallom or boat for the half-year in respect of which the tax was paid.

14. Every licensee shall at all reasonable times during the half-year, produce the license when required to do so by the Executive Authority, a member of Panchayat, or any other person authorised in writing by the Executive Authority to demand its production.

15. Every person failing to produce the license shall be liable to a fine not exceeding Rs. 5.

16. Any person who loses his license will be given a fresh license on paying a fee of naye Paise twenty five

17. (a) Valloms and boats that are let out for hire shall also be registered in the Panchayat Office with the name and residence of the owner.

(b) The Executive Authority shall arrange for the half-yearly registration of such valloms and boats and also for the painting of the register number on them on payment of the fee of naye Paise fifty.

(c) The owner of such valloms and boats shall keep the number in tact.
